

1FW

PTO/SB/21 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

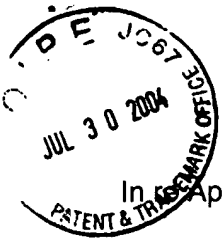
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	06/645,886
	Filing Date	August 20, 2003
	First Named Inventor	Paul E. JACOBS
	Art Unit	3622
	Examiner Name	R. Alvarez
	Attorney Docket Number	000373D3
Total Number of Pages in This Submission		19 plus 42 refs

ENCLOSURES (Check all that apply)				
<input type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input checked="" type="checkbox"/> Amendment/Reply  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input checked="" type="checkbox"/> Information Disclosure Statement; PTO Form 1449  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  References (49) Return Postcard		
<table border="1"><tr><td>Remarks</td></tr><tr><td>Customer Number 23696</td></tr></table>			Remarks	Customer Number 23696
Remarks				
Customer Number 23696				

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	QUALCOMM, INC. Robert J. O'Connell - 44,265
Signature	<i>Robert J. O'Connell</i>
Date	July 28, 2004

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.	
Dated: 7/28/04	Signature: <i>June M Procopio</i> (June Procopio)



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Application of:

JACOBS, et al.

Serial No.: 09/645,886

Filed: August 20, 2003

Art Unit: 3622

Examiner: R. Alvarez

For: **E-MAIL SOFTWARE AND METHOD AND SYSTEM FOR DISTRIBUTING  
ADVERTISEMENTS TO CLIENT DEVICES THAT HAVE SUCH E-MAIL  
SOFTWARE INSTALLED THEREON**

## CERTIFICATION UNDER 37 CFR § 1.8

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, Box 1450, Alexandria, VA. 22313-1450

Date

7/20/04

Signature

Tami M. Procopio

## INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicants submit herewith, in accordance with 37 CFR § 1.98, the patents, publications and other information listed on the enclosed Form PTO-1449.

The references submitted herewith are those of which Applicants are aware, which they believe may be material to the examination of this application and, with respect to which there may be a duty to disclose in accordance with 37 CFR § 1.56. While the references identified may be material to the examination of this application pursuant to 37 CFR § 1.56, the citation of these references is not intended to constitute an admission that any reference referred to herein is prior art to the invention of this application, unless specifically designated as such. Additionally, the filing of this Information Disclosure Statement shall not be construed to mean that any search has been made or, that if made, such search was complete or exhaustive, or that no other material information as defined in 37 CFR § 1.56 exists.

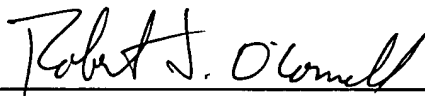
A list of the references is set forth on Form PTO-1449, which is enclosed herewith, along with a copy of each cited reference. Applicants respectfully request that the Examiner return to Applicants a copy of the Form PTO-1449 indicating consideration of the references cited thereon.

References A25, B8, and C1 were forwarded to the applicants by the Office in two Notifications identifying prior art submitted in late protests in co-pending applications 09/728,651 and 09/732,158.

Please charge Deposit Account No. 17-0026 of QUALCOMM Incorporated in the amount of \$180.00 for the fee set forth in 37 CFR § 1.17(p). The Commissioner is hereby further authorized to charge payment of any additional fees that may be required, or credit any overpayment, to Deposit Account No. 17-0026. A duplicate of this sheet is enclosed.

Respectfully submitted,

Date: July 28, 2004

By:   
Robert J. O'Connell  
Reg. No. 44,265  
(858) 651-4361

QUALCOMM Incorporated  
Attn: Patent Department  
5775 Morehouse Drive  
San Diego, California 92121-1714

Telephone: (858) 658-5787  
Facsimile: (858) 658-2502

FORM PTO-1449 -  
(REV. 7-80)U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.

000373D3

SERIAL NO.

10/645,886

INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT

(Use several sheets if necessary)

DATE FILED: July 28, 2004

APPLICANT

JACOBS et al.

FILING DATE

08/20/2003

GROUP/EXAMINER

3622/R. Alvarez

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	A1 6 0 1 4 5 0 2	1/11/00	Moraes	395	200.49	
	A2 5 9 5 9 6 2 3	9/28/99	van Hoff et al.	345	333	
	A3 5 9 4 6 6 4 6	8/31/99	Schena et al.	702	177	
	A4 5 9 3 7 3 9 2	8/10/99	Alberts	705	14	
	A5 5 9 1 3 0 4 0	6/15/99	Rakavy et al.	395	200.62	
	A6 5 8 3 8 7 9 0	11/17/98	McAuliffe et al.	380	4	
	A7 5 8 1 2 7 8 4	9/22/98	Watson et al.	395	200.57	
	A8 5 8 0 9 2 4 2	9/15/98	Shaw et al.	395	200.47	
	A9 5 7 9 4 2 1 0	8/11/98	Goldhaber et al.	705	14	
	A10 5 7 8 1 8 9 4	7/14/98	Petrecce et al.	705	14	
	A11 5 6 6 4 9 4 8	9/9/97	Dimitriadis et al.	434	307	
	A12 5 5 1 5 2 7 0	5/7/96	Weinblatt	364	405	
	A13 5 4 8 3 4 6 6	1/9/96	Kawahara et al.	364	514	
	A14 5 4 7 5 8 1 9	12/12/95	Miller et al.	395	200.03	
	A15 5 4 7 3 1 4 3	12/5/95	Vak et al.	235	380	
	A16 5 4 5 1 9 9 8	9/19/95	Hamrick	348	13	
	A17 5 4 4 2 7 7 1	8/15/95	Filepp et al.	395	650	
	A18 5 4 2 6 4 2 7	6/20/95	Chinnock et al.	340	827	
	A19 5 3 7 7 3 5 4	12/27/94	Scannell et al.	395	650	
	A20 5 3 4 7 6 3 2	9/13/94	Filepp et al.	395	200	
	A21 5 3 2 5 3 1 0	6/28/94	Johnson et al.	364	514	
	A22 5 1 7 7 6 8 0	1/5/93	Tsukino et al.	364	401	
	A23 5 1 0 5 1 8 4	4/14/92	Pirani et al.	340	721	
	A24 4 7 0 3 4 2 3	10/27/87	Bado et al.	364	400	
	A25 6 1 4 1 0 1 0	10/31/00	Hoyle	345	356	
	A26 6 6 2 5 5 7 8	9/23/03	Spaur et al.	705	14	
	A27 6 3 3 9 7 9 5	1/15/02	Narurkar et al.	709	246	
	A28 6 6 5 8 4 6 5	12/02/03	Touboul	709	223	
	A29 6 1 3 4 5 8 4	10/17/00	Chang et al.	709	219	
	A30 6 4 8 7 5 3 8	11/26/02	Gupta et al.	705	14	

	A31	6	3	8	1	7	0	9	4/30/02	Casagrande et al.	714	18	
	A32	5	9	1	8	0	1	4	6/29/99	Robinson	395	200	
	A33	6	5	1	6	3	3	8	2/04/03	Landsman et al.	709	203	
	A34	6	6	0	5	1	2	0	8/12/03	Fields et al.	715	513	
	A35	5	9	5	5	7	1	0	9/21/99	DiFranza	187	396	
	A36	6	2	1	6	1	1	2	04/10/2001	Fuller et al.	705	14	
	A37	5	8	5	4	8	9	7	12/29/1998	Radziewicz et al.	395	200.54	
	A38	6	3	4	5	2	8	8	02/05/2002	Reed et al.	709	201	
	A39	6	0	6	4	9	8	2	05/16/2000	Puri	705	27	
	A40	6	7	1	4	9	7	5	03/30/2004	Aggarwal et al.	709	224	

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	Ref No	DOCUMENT NUMBER									DATE	COUNTRY	NAME	CLASS	SUB CLASS
	B1	E	P	8	2	2	5	3	5	2/4/1998	EPO	Apte et al.	G09F	27/00	
	B2	W	O	99	5	9	0	9	7	11/18/99	PCT	Werkhoven	G06F	19/00	
	B3	W	O	99	5	2	0	5	6	10/14/99	PCT	Horstmann	G06F	17/60	
	B4	W	O	99	1	3	4	2	3	3/18/99	PCT	Middleton et al.	G06F	17/60	
	B5	W	O	98	4	7	0	9	0	10/22/98	PCT	Servan-Schreiber	G06F	17/60	
	B6	W	O	97	4	0	5	1	4	10/30/97	PCT	Shaw et al.	H01J	13/00	
	B7	W	O	96	2	4	2	1	3	8/8/96	PCT	Goldschmitt	H04L	29/06	
	B8	W	O	99	5	5	0	6	6	10/28/99	PCT	Zetmeir	H04M	3/00	

## OTHER PRIOR ART (Including Author, Title, Date, Pertinent Page, Etc.)

	C1		Claria Company Information, Corporate Overview. <a href="http://www.claria.com/companyinfo">www.claria.com/companyinfo</a> 4/12/2004
	C2		
	C3		
EXAMINER			DATE CONSIDERED
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.			